

REMARKS

Claims 7, 8, 10, and 11 are pending and stand rejected under 35 U.S.C. 103(a). Continued Examination is respectfully requested.

Claim 7 was rejected under 35 U.S.C. 103(a) as obvious from the combination of King in view of Wallace.

Claim 7 recites, among other limitations “a decompression engine for decompressing the compressed representation of the first frame and creating a graphic, said graphic displaying the at least one parameter”. Examiner has indicated that:

King fails to specifically disclose a decompression engine for compressing the compressed representation of the first frame. However, Wallace et al discloses a process of generating annotations wherein data frames that are compressed are then subsequently decompressed based on MPEG standard in paragraph 0026. In addition, since Wallace disclose the functionality for decompressing the compressed frame, it is inherent that Wallace contains a decompression engine.

It would have been obvious to one of ordinary skill in the art at the time of the Applicant’s invention to modify King et al’s annotation method by including therein data compression and decompression means with full motion digital video frames. One of ordinary skill in the art at the time of the Applicant’s invention would have known that full motion digital video frames can be compressed for optimizing cost and use of less hardware; therefore, would have used Wallace et al’s process prior to using King et al’s annotation method.

Office Action at 3-4.

Assignee respectfully submits that “The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).” MPEP 2142.

Assignee respectfully submit that the stated rationale “One of ordinary skill in the art at the time of the Applicant’s invention would have known that full motion digital video frames can be compressed for optimizing cost and use of less hardware” is not found in either King or Wallace. Thus, Assignee respectfully submits that for this reason alone, it would not have been obvious to combine King and Wallace as suggested by Examiner.

Additionally, Assignee respectfully submits that compressing “full motion digital video frames” requires sophisticated hardware that cannot be said to result in “use of less hardware”. On its face to “modify King et al’s annotation method by including therein data compression and decompression means with full motion digital video frames” results in additional hardware. Accordingly, Assignee traverses that “One of ordinary skill in the art at the time of the Applicant’s invention would have known that full motion digital video frames can be compressed for optimizing cost and use of less hardware”. For this reason alone, Assignee respectfully requests that Examiner withdraw the rejection to claim 7.


Finally, assuming arguendo that (1) “One of ordinary skill in the art at the time of the Applicant’s invention would have known that full motion digital video frames can be compressed for optimizing cost and use of less hardware”; and (2) the foregoing was taught by the prior art, claim 7 is not obvious from the combination of King and Wallace because neither teach nor fairly suggest “a decompression engine for decompressing the compressed representation of the first frame and creating a graphic, said graphic displaying the at least one parameter”.

Examiner has indicated that “since Wallace disclose the functionality for decompressing the compressed frame, it is inherent that Wallace contains a decompression engine”. However, it is by no means disclosed or inherent in Wallace that a decompression engine is “creating a graphic, said graphic displaying the at least one parameter”. Even if “It would have been obvious to one of ordinary skill in the art at the time of the Applicant’s invention to modify King et al’s annotation method by including therein data compression and decompression means with full motion digital video frames”, “a decompression engine for decompressing the compressed representation of the first frame and creating a graphic, said graphic displaying the at least one parameter”, would not be obvious from the combination of King and Wallace. Accordingly, for this reason alone, Assignee respectfully traverses the rejection to claim 7 as obvious from King and Wallace and request that it be withdrawn.

Conclusion

For at least the foregoing reasons, Assignee respectfully submits that each of the pending claims are in a condition for allowance and Examiner is respectfully requested to pass this case to issuance. It is believed that no fee is due, however, to the extent that any fee is due, the Commissioner is hereby authorized to charge such fee to charge account 13-0017.

Respectfully submitted,



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